THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No: 27363 of 2005

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DATED: 23.12.2005

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Between:

V. Somaiah

… Petitioner.

AND

The Revenue Divisional Officer,

Khammam, Khammam District & another.

… Respondents

ORDER:-

This writ petition is filed to direct the respondents to supply the essential commodities to the petitioner for distributing the same to cardholder by declaring the action of the 2nd respondent in not releasing the essential commodities, as illegal, arbitrary and unjust.

The petitioner is a fair price shop dealer of Surdepally Village, Nelakondapally Mandal, Khammam District. The authorization of the petitioner was suspended by the 1st respondent vide proceedings, dated 29.05.2005 and thereafter, a show cause notice was issued on 20.06.2005 for which the petitioner submitted his explanation on the same day explaining that he has not committed any irregularities. The 1st respondent after considering the explanation and factual aspects basing on the recommendations of the Mandal Revenue Officer that the petitioner has not committed any serious irregularities took a lenient view of imposing a fine of Rs.500/-. On payment of the said fine amount, the dealership of the petitioner was directed to be restored.

It is stated that after payment of fine amount, the petitioner is deemed to have reinstated and accordingly, he paid an amount of Rs.8337/- on 06.12.2005 for supply of essential commodities for the month of December 2005, but the same have not been supplied so far.

Having regard to the facts and circumstances of the case, the respondents are directed to supply essential commodities to the petitioner forthwith as his dealership has been restored pursuant to the orders of the Revenue Divisional Officer, 1st respondent herein, dated 05.11.2005.

However, it is made clear that this order will not preclude the respondents to take any appropriate action if any irregularities again committed by the petitioner.

Accordingly, the writ petition is disposed of. No order as to costs.

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23.12.2005

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